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9 Attorneys for Plaintiffs  
 Cisco Systems, Inc. and Cisco Technology, Inc.

11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO DIVISION**

15 CISCO SYSTEMS, INC., a Delaware  
 16 corporation, and CISCO TECHNOLOGY,  
 INC., a California corporation,

17 Plaintiffs,

18 v.  
 19

20 DEXON COMPUTER, INC., a Minnesota  
 corporation,

21 Defendant.  
 22

23 AND RELATED CROSS-ACTIONS  
 24

Case No. 3:20-cv-04926 CRB

**JOINT CASE MANAGEMENT  
 STATEMENT**

The Honorable Charles R. Breyer

Complaint Filed: July 22, 2020

25 Plaintiffs CISCO SYSTEMS, INC. and CISCO TECHNOLOGY, INC. ("Plaintiffs" or  
 26 "Cisco"), Defendant DEXON COMPUTER, INC. ("Defendant" or "Dexon"), and Third Party  
 27 Defendants ITECH DEVICES, OPTIMUM DATA, PARAGON, and TEKSAVERS, by and  
 28

1 through their respective counsel of record, met on June 27, 2023, to discuss this case and the  
 2 matters set forth in Fed. R. Civ. P 26(f), Civil L.R. 16-3, 16-8 and 16-9.

3 The parties, through their undersigned counsel, hereby submit the following Joint Rule  
 4 26(f) Report in accordance with the requirements of the foregoing rules, and the Standing Order  
 5 for All Judges of the Northern District of California: Contents of Joint Case Management  
 6 Statement, Rev. October 20, 2022.

7 **I. UPDATE RE: THIRD PARTY DEFENDANTS**

8 Defendant Dexon has completed its service of process efforts on all current Third Party  
 9 Defendant suppliers of allegedly counterfeit Cisco products. Dexon intends to file motions for  
 10 default judgment against Third Party Defendant suppliers who have failed to respond. Dexon  
 11 intends to dismiss without prejudice any Third Party Defendants for which it was unable to  
 12 effectuate service of process. Defendant intends to continue to add indemnity/contribution claims  
 13 against suppliers of any newly identified allegedly counterfeit Cisco products.

14 **II. UPDATE RE MOTIONS**

15 Cisco filed a motion for a preliminary injunction seeking to enjoin Dexon from selling  
 16 counterfeit Cisco products (Doc. 202), and that motion is set to be heard on July 14, 2023.

17 Following the initial case management conference, the parties have exchanged written  
 18 discovery requests and have begun the production of documents. The parties have worked in good  
 19 faith to successfully resolve multiple discovery issues without the Court's involvement. The  
 20 parties required Magistrate Judge Illman's involvement to resolve one discovery dispute regarding  
 21 Cisco subpoenas issued to Dexon customers. Cisco and Dexon will continue to work in good faith  
 22 to resolve discovery disputes, but acknowledge the potential need for further court involvement..

23 **III. UPDATE RE AMENDMENT OF PLEADINGS**

24 Plaintiffs amended their complaint, following jurisdictional discovery, and the operative  
 25 complaint at this time is the First Amended Complaint (Doc. 32). Plaintiffs have filed a motion  
 26 for leave to file a Second Amended Complaint (Doc. 199), and that motion is set for hearing on  
 27 July 14, 2023.

Dexon has amended its third party complaint to add its claimed suppliers of newly identified allegedly counterfeit products. Dexon intends to continue adding suppliers of any newly identified allegedly counterfeit products.

**IV. PROPOSED TWO (2) MONTH EXTENSION OF ALL DUE DATES / DEADLINES**

As a result of delays in document production due to multiple discovery disputes and the parties' good faith efforts to resolve such disputes without the need for Court involvement, the parties agree a two (2) month extension of all due dates and deadlines (excluding the current hearing date for Cisco's Motion for Preliminary Injunction and Motion for Leave to Amend) is necessary and reasonable in order to complete discovery in a timely fashion. The parties have requested no prior extensions or modifications of the Scheduling Order. The parties will be submitting a separate Joint Stipulation and PROPOSED Order seeking such two (2) month extension.

Respectfully submitted,

DATED: June 30, 2023

SIDEMAN & BANCROFT LLP

By: /s/ Richard J. Nelson  
 Richard J. Nelson  
 Attorneys for Plaintiffs  
 Cisco Systems, Inc. and Cisco Technology, Inc.

DATED: June 30, 2023

K&L GATES LLP

By: /s/ Zach Timm  
 Zach Timm  
 Attorneys for Third Party Defendant  
 Paragon

DATED: June 30, 2023

BARNES & THORNBURG LLP

By: /s/ Roya Rahmanpour  
 Roya Rahmanpour  
 Attorneys for Third Party Defendant  
 Optimum Data, Inc.

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1 DATED: June 30, 2023

BRENDA ANN PRACKUP  
ATTORNEY AT LAW

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3

By: /s/ Brenda A. Prackup

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Brenda A. Prackup  
Attorneys for Third Party Defendant  
iTech Devices, Inc.

5

6

7 DATED: June 30, 2023

LANDO & ANASTASI

8

By: /s/ Craig R. Smith

9

Craig R. Smith  
Attorneys for Third Party Defendant  
Teksavers

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**ATTESTATION**

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Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of  
perjury that I have obtained consent to file this document from every signatory above.

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DATED: June 30, 2023

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/s/ Richard J. Nelson

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Richard J. Nelson

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